

21 NCAC 04B .0403 APPRENTICE AUCTIONEER LICENSE

(a) An apprentice auctioneer's license shall be valid only while he or she is associated with and supervised by a licensed auctioneer approved by the Board. In order to be approved by the Board as a supervisor, the Board shall receive a written notice, signed by the prospective supervisor and the apprentice, requesting that the licensed auctioneer be approved as a supervisor for the apprentice. Upon receipt of such a request, the Board shall review the requested approval. The requested approval shall be denied by the Board if the prospective supervisor fails to possess a minimum of five years of active experience in the auctioneering profession or has committed any act that resulted in license suspension or revocation under the rules of this Subchapter or under G.S. 85B.

(b) The supervising auctioneer shall be on the premises of the sale location and supervise the apprentice auctioneer at all times that an apprentice auctioneer is engaged in bid calling. Additionally, the supervising auctioneer shall supervise the apprentice and ensure that the apprentice auctioneer conforms with the auctioneer law and the rules of this Subchapter.

(c) Any licensed auctioneer who undertakes the supervision of an apprentice auctioneer shall provide the apprentice with training and supervision in the following:

- (1) a working knowledge of the auction business including conduct of auctions, auctioneering ethics, contract drafting, bid calling, basic mathematical computations, advertising, and settlement statements;
- (2) the provisions of the licensing law;
- (3) the rules of this Subchapter; and
- (4) the preparation and maintenance of written agreements, record books, and other sales records as required by G.S. 85B-7.

(d) Apprentices shall not conduct or contract to conduct any auction without the prior express written consent of the supervisor(s). No supervisor shall authorize an apprentice to conduct or contract to conduct an auction, to act as principal auctioneer, or handle any funds related to an auction unless the supervisor has determined that the apprentice has received the training to do so. An apprentice auctioneer may work under more than one Board-approved licensed auctioneer at any given time.

(e) The supervisor(s) shall ensure that the apprentice complies with all of the laws and Rules as they apply to any auction-related transaction approved by the supervisor.

(f) An apprentice auctioneer shall notify the Board, in writing, within 10 days of termination of his or her association with his or her supervising auctioneer, at which time his or her license shall be placed in an invalid status. If an apprentice auctioneer's supervising auctioneer's license has been suspended or revoked, the apprentice auctioneer's license shall be placed in an invalid status. Once in an invalid status, an apprentice auctioneer shall not conduct or contract to conduct any auction. If an apprentice's license is invalid greater than 90 days due to a lack of an approved sponsor, the apprentice upon securing an approved sponsor shall be required to submit a reinstatement fee as set forth in 21 NCAC 04B .0202(b)(10). Upon termination of the association between a supervisor and the apprentice, both licensees shall notify the Board in writing within 10 days, specifying the date and cause of termination. At this time the apprentice auctioneer's license shall be placed in an invalid status, unless at least one Board-approved supervisor remains in place for the apprentice.

*History Note: Authority G.S. 85B-3.1; 85B-4; 85B-7;
Eff. November 1, 1984;
Amended Eff. April 1, 2001; April 1, 1996; January 1, 1995; June 1, 1991;
Readopted Eff. July 1, 2020.*